



ORDER

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April 24, 2024

VIA ECF

Hon. James B. Clark III
Martin Luther King Building & U.S. Courthouse
50 Walnut Street Room 4015
Newark, NJ 07101

Re: *SJA TD HOLDINGS, L.L.C. et al v. YELLIN et al*, No.: 22-CV-4940 (ES) (JBC)

Dear Judge Clark,

As the Court is aware, we represent Plaintiffs in the above captioned case. While preserving their respective positions on the outstanding discovery issues, the parties jointly request an adjournment of the deadline to submit discovery issues (ECF No. 73) while Defense counsel's motion to withdraw (ECF No. 74) remains pending.¹

By way of procedural background, Plaintiffs had previously submitted a deficiency letter to Defendants on August 8, 2023. Plaintiffs conferred with Defendants on the discovery issues on October 3, 2023, and October 9, 2023, following the Court's September 28, 2023 Order (ECF No. 52), and submitted a joint letter with Defendants on October 13, 2023 outlining the outcome of the "meet and confers" that took place. (ECF No. 58). On November 7, 2023, the parties were directed to mediation and the case was administratively terminated. (ECF No. 67). Following the unsuccessful mediation that took place on February 14, 2024, on February 27, 2024, the Court adjourned the February 28, 2024 conference (ECF No. 69), and on March 12, 2024, Plaintiffs requested that the Court reopen this case. (ECF No. 70). On March 13, 2024, the Court directed the parties to meet and confer and submit a joint letter on all outstanding discovery issues by April 1, 2024. (ECF No. 71). On April 1, 2024, the parties submitted their joint letter after holding the meet and confer. (ECF No. 72). On April 3, 2024, the Court ordered the parties to file their revised joint letter on the discovery issues by April 24, 2024. (ECF No. 73). On April 22, 2024, Defendants counsel filed a motion to withdraw as counsel. (ECF No. 74). On April 23, 2024, the Court Ordered the parties to submit "confidential *ex parte* settlement position papers" by May 17, 2024 (ECF No. 76).

¹ Plaintiffs do not oppose Defendants counsel's motion to withdraw.

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Due to these developments,^{*} the parties respectfully make this joint request that the Court adjourn the deadline for submitting discovery issues to the Court pending the resolution of the motion to withdraw.²^{*}

We thank the Court for its consideration of this matter.

Respectfully submitted,

By: s/ Michael J. Smikun, Esq.
Michael J. Smikun, Esq.

SO ORDERED

s/James B. Clark

James B. Clark, U.S.M.J.

Date: 4/25/2024

² To the extent necessary, Plaintiffs will meet with Defendants new counsel and will address the outstanding discovery issues in hopes of resolution without Court intervention.